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TO EU MEMBER STATES COLLECTIVE IMMEDIATE

UN SECURITY COUNCIL COLLECTIVE IMMEDIATE

RUEHAM/AMEMBASSY AMMAN IMMEDIATE 2353

RUEHGB/AMEMBASSY BAGHDAD IMMEDIATE 7020

RUEHSW/AMEMBASSY BERN IMMEDIATE 6097

RUEHEG/AMEMBASSY CAIRO IMMEDIATE 2069

RUEHBY/AMEMBASSY CANBERRA IMMEDIATE 4609

RUEHDM/AMEMBASSY DAMASCUS IMMEDIATE 7373

RUEHML/AMEMBASSY MANILA IMMEDIATE 1563

RUEHBH/AMEMBASSY NASSAU IMMEDIATE 4813

RUEHRB/AMEMBASSY RABAT IMMEDIATE 7432

RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 6766

INFO RUEATRS/TREASURY DEPT WASHINGTON DC 0532

UNCLAS SECTION 01 OF 06 STATE 069814

SENSITIVE

SIPDIS

E.O. 12958: N/A

TAGS: [EFIN](#) [KTFN](#) [PREL](#) [PTER](#) [UNSC](#)

SUBJECT: UN 1267 (AL-QAIDA/TALIBAN) SANCTIONS: RESULTS OF
USG REVIEW OF TRANCHE 1 AND 2 NAMES PURSUANT TO PARAGRAPH
25 OF RESOLUTION 1822

REF: 08 USUN 000640

[1](#)1. (U) This is an action request. Please see paragraphs 6-20.

SUMMARY AND OBJECTIVES

[1](#)2. (SBU) The United States Government is in the final stages of reviewing the first two tranches of names circulated by the UN (al-Qaida/Taliban Sanctions) Committee chair in furtherance of the committee's work toward completing a comprehensive review by June 2010 of the UN 1267 Consolidated List, as mandated in paragraph 25 of UNSCR 1822. Department would like at this time to share with EU and other partner nations key findings of our review, and to advise them that we would welcome their providing any additional information that might be relevant to the United States Government's review. We ask that any such information be shared with us as soon as possible (but no later than July 13) so that we may update the committee (by July 15) on the results of our review of the first two tranches of names pursuant to paragraph 25 of UNSCR 1822.

[1](#)3. (SBU) Department also wishes to convey to partner nations the following points in discussing these listings:

- the seriousness with which the USG is taking its obligations pursuant to resolution 1822;
 - our hope that the results of our review of the first two tranches will demonstrate our resolve to ensure meaningful review of the sanctions list;
 - our commitment to ensure fairness and transparency in the implementation of sanctions;
 - our view that the comprehensive review of the sanctions list is not simply a de-listing exercise, but that the USG has taken this opportunity to thoroughly review our files and, to the best of our ability, ensure that the listings we continue to support remain appropriate;
 - the fact that we anticipate requesting or supporting de-listing of names from the 1267 Consolidated List on a rolling basis as the review proceeds;
 - at this time, out of the 81 names circulated under tranches 1 and 2 that the USG originally sponsored or co-sponsored, the USG expects to sponsor or co-sponsor delisting of 12 names (8 individuals, 4 entities).
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BACKGROUND

¶4. (U) In order to ensure that the sanctions under UNSCR 1267 are implemented as fairly and transparently as possible, the Council made several changes to the regime in resolution 1822, adopted in June 2008. These measures include: requiring states that request new listings to provide information that may be released to the public on the proposed party's association with al-Qaida or the Taliban; requiring the committee to make available on its website a narrative summary of the reasons for listing for each individual and entity on the Consolidated List; and strengthening the call on states to properly notify parties when they are listed for sanctions. The Council also required the Committee to review by June 2010 every entry on the Consolidated List at the time of the adoption of UNSCR 1822 (June 2008) to ensure that each entry on the list remains appropriate and is as accurate as possible. Furthermore, at the completion of this comprehensive review, the committee going forward now must review on an annual basis each entry that has not been reviewed in three or more years.

¶5. (U) The entire text of UNSCR 1822 can be reviewed in reftel, or easily accessed on-line via the UN 1267 Committee website, located at <http://www.un.org/sc/committees/1267/index.shtml>. For ease

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of reference, however, paragraph 25, which mandates the committee comprehensively review each entry on the sanctions list at the time of adoption of resolution 1822, is copied below.

¶25. "Directs the Committee to conduct a review of all names On the Consolidated List at the date of adoption of this resolution by June 30, 2010 in which the relevant names are circulated to the designating states and states of residence and/or citizenship, where known, pursuant to the procedures set forth in the Committee guidelines, in order to ensure the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate";

ACTION REQUEST

¶6. (U) All Action Addressees: All action addresses are requested to share as soon as possible at the highest appropriate level the results of our review pursuant to paragraph 25 of UNSCR 1822 for the first two tranches of names circulated by the UN 1267 Committee Chairman. Inform partner nations that the USG views each case as unique, and that we consider a variety of factors in reaching a decision on whether to support maintaining a listing or to support delisting, including the nature of activities that led to the original listing, the adequacy of identifiers, the credibility of any information regarding the listed person,s death, and the nature of any additional reporting that becomes available on a listed individual or entity following that individual,s/entity,s listing.

¶7. (U) Action addresses are further requested to inform partner nations that: In December 2008, the UN 1267 Committee chair circulated the first tranche of names to be reviewed by the committee. In tranche 1, out of a total of 52 names, the USG was responsible for reviewing the 42 names (23 individuals and 19 entities) for which it had sponsored or co-sponsored the listing. The USG has reviewed these 42 names pursuant to the factors outlined above, and is prepared to seek (or support another Member States' proposal to seek) de-listing for the following 2 individuals and 4 entities from this tranche:

(U) Ali Ghaleb HIMMAT (UN Permanent Reference Number QI.E.43.01) - Designated by the US on November 7, 2001 and added to the UN Consolidated List on November 9, 2001. See (<http://www.treas.gov/press/releases/po3380.htm>) for further details regarding the designation.

(U) Youssef Mustapha NADA Ebada (UN Permanent Reference Number QI.E.53.01) - Designated by the US on November 7, 2001 and added to the UN Consolidated List on November 9, 2001. See (<http://www.treas.gov/press/releases/po3380.htm>) for further details regarding the designation.

(U) BARAKAAT INTERNATIONAL FOUNDATION (UN permanent reference number QE.B.39.01) - Designated by the U.S. under E.O. 13224 on November 7, 2001 and added to the UNSCR 1267 Consolidated List on November 9, 2001). See (<http://www.treas.gov/press/releases/reports/js721.pdf>) for further details regarding the designation.

(U) BARAKAAT INTERNATIONAL (UN permanent reference number QE.B.38.01) - Designated by the U.S. under E.O. 13224 on November 7, 2001 and added to the UNSCR 1267 Consolidated List on November 9, 2001. See (<http://www.treas.gov/press/releases/reports/js721.pdf>) for further details regarding the designation.

(U) NADA MANAGEMENT ORGANIZATION SA (UN Permanent Reference Number QE.N.58.01) (NADA MANAGEMENT) - Designated by the US on November 7, 2001, and added to the UNSCR 1267 Consolidated List on November 9, 2001. See (<http://www.treas.gov/press/releases/po771.htm>) for further details regarding the designation.

(U) BANK AL-TAQWA Ltd. (UN Permanent Reference Number QE.B.34.01) - Designated by the U.S. on November 7, 2001 and

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2001. See (<http://www.treas.gov/press/releases/po3380.htm>) for further details regarding the designation.

18. (U) In February 2009, the UN 1267 Committee chair circulated the second tranche of names to be reviewed by the committee pursuant to paragraph 25 of UNSCR 1822. In tranche 2, out of a total of 106 names (93 individuals and 13 entities), the USG was responsible for reviewing the 39 names (30 individuals and 9 entities) for which it had sponsored or co-sponsored the listing. The USG has reviewed these 39 names pursuant to the factors outlined above, and is prepared to seek (or support another Member States' proposal to seek) de-listing for the following 6 individuals from this tranche:

(U) Sulayman Khalid DARWISH (UN permanent reference number QI.D.183.05) - Designated by the U.S. under E.O. 13224 on January 25, 2005 and added to the UNSCR 1267 Consolidated List on September 28, 2005. See (<http://www.treas.gov/press/releases/js2206.htm>) for further details regarding the designation.

(U) Nasr Fahmi Nasr HASSANNEIN (Muhammad Salah) (UN permanent reference number QI.H.16.01) - Designated under E.O. 13224 on September 23, 2001 and added to the UNSCR 1267 Consolidated List on October 6, 2001. No press release available.

(U) Khadafi Abubakar JANJALANI (UN Permanent Reference Number QI.J.180.04) - Designated by the US on December 17, 2004 and added to the UN Consolidated List on December 22, 2004. See (<http://www.treas.gov/press/releases/js2157.htm>) for further details regarding the designation.

(U) Mohamed MOUMOU (UN permanent reference number QI.M.227.06) - Designated by the U.S. under E.O. 13224 and added to the UNSCR 1267 Consolidated List on December 7, 2006. See (<http://www.treas.gov/press/releases/hp191.htm>) for further details regarding the designation.

(U) Jainal Antel SALI Jr. (UN Permanent Reference Number

QI.S.209.05) - Designated by the US on November 30, 2005 and added to the UN Consolidated List on December 6, 2005. See (<http://www.treas.gov/press/releases/js3027.htm>) for further details regarding the designation.

(U) ZIA Mohammad (UN Permanent Reference Number QI.M.32.01) - designated by the US on October 12, 2001 and added to the UN Consolidated List on October 17, 2001. No press release available.

¶9. (U) Embassy London: In addition to the information included in paragraphs 6-8, Embassy London should share the following information on names of interest to the UK which we are likely to support or propose for delisting:

Mohamed Moumou - We assess that Moumou was killed in Iraq, and we therefore plan to indicate to the UN 1267 Committee our support for his removal from the Consolidated List.

¶10. (SBU) Embassy Rome: In addition to the information included in paragraphs 6-8, Embassy Rome should share the following information on names of interest to Italy which we are likely to support or propose for delisting:

Youssef Mustapha NADA Ebada - While the information available to the USG at the time of the designation provided a basis for listing under the relevant UNSCR, after careful review pursuant to paragraph 25 of UNSCR 1822 and based on the factors described above, we are of the view that circumstances no longer warrant maintaining NADA,s listing on the 1267 Consolidated List. However, we plan to retain him on our domestic terrorism list, because we believe that circumstances continue to warrant maintaining his listing under the broader criteria of our domestic authorities.

NADA MANAGEMENT ORGANIZATION SA - After careful review pursuant to paragraph 25 of UNSCR 1822 based on the guiding principles and factors described above, circumstances no longer warrant maintaining NADA MANAGEMENT ORGANIZATION SA,s

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BANK AL-TAQWA Ltd. - After careful review pursuant to paragraph 25 of UNSCR 1822 based on the guiding principles and factors described above, circumstances no longer warrant maintaining BANK AL-TAQWA,s listing on the 1267 Consolidated List.

Ali Ghaleb HIMMAT - After careful review pursuant to paragraph 25 of UNSCR 1822 based on the guiding principles and factors described above, circumstances no longer warrant maintaining HIMMAT,s listing on the 1267 Consolidated List.

Rachid FETTAR - We learned recently that the Government of Italy has indicated support for Fettar's continued listing. After careful review, we do not plan to recommend FETTAR,s de-listing, but would greatly appreciate any additional information the GOI could provide to us on Fettar.

¶11. (SBU) Embassy Stockholm: In addition to the information included in paragraphs 6-8, Embassy Stockholm should share the following information on names of interest to Sweden which we are likely to support or propose for de-listing.

Sweden has one 1267-listed national (Mohammed Moumou) and one entity (Barakaat International Foundation) based in Sweden that we plan to support for de-listing. We note that Sweden has already indicated it does not support maintenance of Barakaat International Foundation on the UN 1267 Consolidated List and would like to know if the GOS intends to file a formal de-listing petition that we would be prepared to support. Sweden may also be interested to learn, in particular, that we also intend to support removal of Barakaat International and Mohamed Moumou, whom we assess was killed in Iraq. As he is deceased, we plan to support his removal from the UN 1267 Consolidated List.

¶12. (U) Embassies Manila and Canberra: In addition to the information included in paragraphs 6-8, Embassies Manila and Canberra should share the following information on names of interest to the Philippines and Australia which we are likely to support or propose for delisting:

Khadafi Abubakar JANJALANI - We assess Janjalani was killed in the Philippines. As he is deceased, we plan to support his removal from the UN 1267 Consolidated List.

Jainal Antel SALI Jr. - We assess that Sali was killed in ¶2007. As he is deceased, we plan to support his removal from the UN 1267 Consolidated List.

¶13. (U) Embassy Cairo: In addition to the information provided in paragraphs 6-8, Embassy Cairo should share the following information on names of interest to Egypt:

Youssef Mustapha NADA Ebada and Ali Ghaleb HIMMAT - While the information available to the USG at the time of the designation provided a basis for listing NADA and HIMMAT under the relevant UNSCR, after careful review pursuant to paragraph 25 of UNSCR 1822 and based on the guiding factors described above, we are of the view that circumstances no longer warrant maintaining NADA,s and HIMMAT,s listings on the 1267 Consolidated List. We note that according to press reports in 2007 and 2008, NADA and HIMMAT were convicted in absentia in Egypt on charges of financing terrorism. We would appreciate any additional information Egypt can provide on their terrorism financing activities.

¶14. (U) Embassy Islamabad: In addition to the information included in paragraphs 6-8, Embassy Islamabad should share the following information on names of interest to Pakistan which we are likely to support or propose for delisting:

Zia Mohammad - His last known whereabouts was listed as Peshawar, Pakistan. Zia Mohammad's entry on the Consolidated List lacks biographic identifiers, making it very difficult to implement sanctions against him. After careful review pursuant to paragraph 25 of UNSCR 1822 based on the guiding principles and factors described above, circumstances no longer warrant maintaining MOHAMMAD,s listing on the 1267

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¶15. (U) Embassy Damascus: In addition to the information included in paragraphs 6-8, Embassy Damascus should give special attention to information related to Sulayman Khalid Darwish, a Syrian national whom we assess was killed in Iraq. The Governments of Jordan, Iraq, Syria and the United States sponsored Darwish's January 28, 2005 listing. As Darwish is deceased, we plan to support his removal from the UN 1267 Consolidated List.

¶16. (U) Embassy Rabat: In addition to the information included in paragraphs 6-8, Embassy Rabat should share the following information on names of interest to Morocco which we are likely to support or propose for delisting. We assess that Mohamed Moumou, a dual Moroccan/Swedish national born in Morocco, was killed in Iraq. As he is deceased, we plan to support his removal from the UN 1267 Consolidated List.

¶17. (SBU) Embassy Bern: In addition to the information included in paragraphs 6-8, Embassy Bern should share the following information on names of interest to Switzerland which we are likely to support or propose for delisting. Youssef Mustapha NADA Ebada - While the information available to the USG at the time of the designation provided a basis for listing NADA under the relevant UNSCR, after careful

review pursuant to paragraph 25 of UNSCR 1822 based on the factors described above, we are of the view that circumstances no longer warrant maintaining NADA,s listing on the 1267 Consolidated List. However, we plan to retain him on our domestic terrorism list, because we believe that circumstances continue to warrant maintaining his listing under the broader criteria of our domestic authorities.

The Government of Switzerland will be interested in this case because Mr. Nada is challenging before the European Court of Human Rights Switzerland's implementation of the sanctions (specifically, of the travel ban). The GOS will likely be interested in knowing that we are likewise prepared to support delisting two related entities, including NADA MANAGEMENT ORGANIZATION SA (UN Permanent Reference Number QE.N.58.01) (NADA MANAGEMENT), and BANK AL-TAQWA Ltd. (UN Permanent Reference Number QE.B.34.01)

Due to our continued concerns about NADA, we would like to know if NADA, NADA MANAGEMENT ORGANIZATION SA, or BANK AL-TAQWA Ltd. has any assets blocked under Swiss jurisdiction, and if so, we urge Switzerland to be cautious that any unfrozen assets are not ultimately used to support terrorist activities.

¶18. (U) Embassy Baghdad: In addition to the information included in paragraphs 6-8, Embassy Baghdad should share the following information on names of interest to Iraq which we are likely to support or propose for delisting:

Mohamed Moumou - was known to have provided support to the al-Zargawi Network and to AQ. We assess that Moumou was killed in Iraq. As he is deceased, we plan to support his removal from the UN 1267 Consolidated List.

Sulayman Khalid DARWISH - We assess Darwish was killed in Iraq. As he is deceased, we plan to support his removal from the UN 1267 Consolidated List.

¶19. (U) Embassy Amman: In addition to the information included in paragraphs 6-8, Embassy Amman should share the following information on names of interest to Jordan which we are likely to support or propose for delisting.
Sulayman Khalid DARWISH - We assess Darwish was killed in Iraq. As he is deceased, we plan to support his removal from the UN 1267 Consolidated List. The Governments of Jordan, Iraq, Syria and the United States sponsored Darwish's January 28, 2005 listing.

¶20. (U) Embassy Nassau: In addition to the information

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included in paragraphs 6-8, Embassy Nassau should draw to the attention of the GOB the results of our review pursuant to paragraph 25 of UNSCR 1822 of BANK AL-TAQWA Ltd. (UN Permanent Reference Number QE.B.34.01), which is listed as having its headquarters in the Bahamas.

REPORTING DEADLINE AND POINT OF CONTACT

¶21. (U) Action addresses should report as soon as possible (but no later than July 13) results of their engagement.

¶22. (U) Questions may be directed to IO/PSC (Erin Crowe,202-736-7847).
CLINTON